

REMARKS

Applicants submit this response in response to the Requirement for Restriction and Election of Species mailed on July 16, 2009.

I. Requirement for Restriction

The Examiner has determined that the application contains the following two inventions.

- I. Invention Group I - claims 1 to 58 - drawn to a device comprising the special technical feature of a detection surface electronically coupled to an electronic circuit, and
- II. Invention Group II - claims 59-61 - drawn to a method comprising the special technical feature of immobilizing a target in a reaction vessel.

Preliminarily, it is respectfully submitted that a Preliminary Amendment was filed with the application in which all pending claims were canceled and were replaced by claims 62-98. Of these claims, claims 62-95 call for a device and claims 96-98 call for a method. Claims 96-98 are identical to canceled claims 59-61, respectively. Accordingly, although the present Office Action is written with regards to cancelled claims 1-61, Applicants will respond to the Office Action as though it pertains to the present claims 62-98.

Applicants elect for current prosecution the claims of Invention Group II, drawn to a method, claims 96-98. Claim 96 has been amended to delete the feature of a spacer molecule, which is felt to not be necessary to define the invention. This feature is called for now separately in new claim 99. In addition, Applicants have added new claims 100-122 that depend from claim 96.

The features of the new claims were previously called for in the claims as filed.
No new matter is added by the new claims.

II. Election of Species

Although the requirements for election of species set forth in the Office Action of July 16, 2009 referred solely to the invention of Group I and Applicants have elected the invention of Group II for present examination, several of the newly added claims contain multiple species that are analogous to the species identified by the Examiner in relation to Group I. Therefore, Applicants provisionally make the following election of species. Applicants respectfully request the Examiner to withdraw the elections made if the Examiner determines that one or more of the elections of species is not necessary following restriction of the application to the invention of Group II.

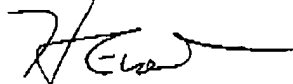
- A. Regarding claims 100 and 101, Applicants elect claim 100. Claim 96 is generic.
- B. Regarding claims 103 and 104, Applicants elect claim 103. Claims 96 and 102 are generic.
- C. Regarding claims 106 to 108, Applicants elect claim 108. Claims 96 and 105 are generic.
- D. Regarding claims 110 and 111, Applicants elect claim 111. Claims 96, 99, and 109 are generic.
- E. Regarding claims 112 to 116, Applicants elect claims 112 and 116 which call for an RNA. Claim 96 is generic.

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Conclusion

Applicant submits that the claims of Invention Group II are in condition for allowance and request an early notice to that effect.

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION/MAILING

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Dated: August 13, 2009



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